

PETITION -- HOUSE

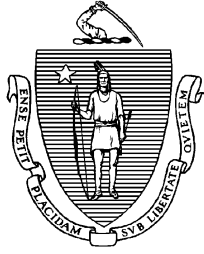
CHIEF SPONSOR:

Representative Kocot of Northampton

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts
in General Court assembled.*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill or resolve.

[illegible]



The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND FIVE

AN ACT Releasing Certain Land in the City of Northampton From the Operation of an Agricultural Preservation Restriction.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Pursuant to the provisions of section thirty-two of chapter one hundred eighty-four of the General Laws, notwithstanding the provisions of any general or special law to the contrary, the Commissioner of Food and Agriculture is hereby authorized to release a portion of the agricultural preservation restriction dated June 9, 1983, recorded at Book 2400, Page 10, Hampshire County Registry of Deeds, said portion being more particularly described as follows:

A certain parcel of land in Northampton, Hampshire County, Massachusetts, located on the westerly side of Florence Road, shown on a plan of land entitled, "Revised Plan of Land in Northampton, Mass., Prepared for C-54 Memorial" by Robert J. LaBarge Sr., dated April 24, 2000, and recorded in Hampshire County Registry of Deeds, Plan Book 187, Page 41. Said parcel is more particularly bounded and described as follows:

Beginning at an iron pipe located on the westerly side of said Florence Road, said iron pipe being the northeasterly corner of the parcel conveyed hereby; thence South 21 degrees, 52 feet, 12 inches West along said Florence Road a distance of 58.44 feet to an iron pipe; thence turning and running North 63 degrees, 17 feet, 23 inches West a distance of 40.95 feet to an iron pipe;

thence turning and running North 23 degrees, 16 feet, 47 inches East a distance of 58.33 feet to an iron pipe; thence turning and running South 63 degrees, 17 feet, 23 inches East a distance of 39.51 feet to the iron pipe at the place of the beginning, the last three courses along land of Adams Farm Realty Trust, containing 2,343 square feet of land.

SECTION 2. The above-described land to be released may only be used for the erection of a memorial exhibit in honor of the Army Air Force personnel who died in the crash of a C-54 aircraft on the land covered by the restriction on May 13, 1948. Construction of the memorial is to be supervised by the Department of Veteran's Services in Northampton. In the event that the land to be released is sold or transferred to any entity or person for purposes other than the referenced memorial, or ceases to be used for said memorial by the current or future owner, the agricultural preservation restriction of the Commonwealth above referenced, shall be reimposed on said parcel of land, unless said restriction is released or discharged by the Commonwealth in its entirety in the interim.

SECTION 3. Except as partially released by this Act, the referenced agricultural preservation restriction shall remain in full force and effect.

SECTION 4. This act shall take effect upon its passage.